IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.1020 OF 2006

Shri.Balu Antu Ghadge & ors. ...Appellants.

vs.

Pandharinath Khashaba Ghadge and others. ...Respondents.

Mr.M.M.Sathaye, for Appellants.

CORAM: D.K.DESHMUKH &

DATED: 9th July,2007.

P.C.:-

1. The suit of the plaintiffs-appellants was for possession on title. The Trial Court recorded a categorical finding that the plaintiffs have failed to prove that the plaintiffs have title to the property. It appears

that the Appeal Court examined only the alternative case, assuming that the plaintiffs have title, whether plaintiffs can revoke the licence when defendants have constructed the suit house. But there is definite finding on record that the plaintiffs do not have title to the property. If they do not have title to the property, there is no question of they getting decree for possession. No substantial question of law arises. The appeal is disposed of.

(D.K.DESHMUKH, J.)